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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ARMANDO VARGAS,

Defendant.

Case No. 2:18-cr-290-JCM-NJK

**Amended Eighth Stipulation to Continue
Trial Date and Exclude Speedy Trial Time**

IT IS HEREBY STIPULATED AND AGREED by and between, Nicholas A. Trutanich, United States Attorney, District of Nevada, Christopher Lin, Assistant United States Attorney, representing the United States of America, and Robert Purdy, Esq., representing Defendant Armando Vargas, that the trial in the above captioned case, which is currently scheduled for January 25, 2021 at 9:00 a.m., be continued to a date and time convenient for the Court but not less than 90 days from the current setting.

1. On November 12, 2020, the Chief Judge of the U.S. District Court for the District of Nevada issued the Third Amended Temporary General Order 2020-03, which found that due to the “pattern of sustained increase in COVID-19 transmission rates in the State of Nevada, the Court has once again determined that jury trials must be further postponed [until further notice].” This Third Amended Temporary General Order 2020-03

1 continued all civil and criminal trials, pending further order of the Court under
2 Temporary General Order 2020-03, which found that “the ends of justice are best served
3 by ordering the continuances, which outweighs the best interests of the public and any
4 defendant’s right to a speedy trial under 18 U.S.C. § 3161(h)(7)(A).”

5 2. Based on the public health emergency brought about by the COVID-2019 pandemic, the
6 required social-distancing measures as recognized in the Temporary General Orders, and
7 the need for additional time to prepare the defense, both during the public health
8 emergency and once the public health emergency is resolved, the parties agree to
9 continue the currently scheduled calendar call and trial date from January 20 and
10 January 25, 2021, respectively, to dates and times convenient for the Court, but not less
11 than 90 days from the current settings.

12 3. This continuance is not sought for purposes of delay, but to account for the necessary
13 social-distancing in light of the COVID-2019 public health emergency, and to allow the
14 defense adequate time to prepare during the public health emergency and following its
15 resolution.

16 4. Denial of this request could result in a miscarriage of justice, and the ends of justice
17 served by granting this request outweigh the best interests of the public and the defendant
18 in a speedy trial.

19 5. The defendant is at liberty and does not object to the continuance.

20 6. This is the parties’ eighth request to continue the trial.

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7. The additional time requested by this stipulation is excludable in computing the time within which the trial must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(7)(A), and considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i) and (iv).

DATED this 21st day of December, 2020.

NICHOLAS A. TRUTANICH
United States Attorney

/s/ Christopher Lin
CHRISTOPHER LIN
Assistant United States Attorney

/s/ Robert Purdy
ROBERT PURDY, Esq.
Counsel for Defendant VARGAS

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

United States Of America,)	Case No.: 2:18-cr-290-JCM-NJK
)	
Plaintiff,)	<u>Findings and Order on Stipulation</u>
)	
vs.)	
)	
ARMANDO VARGAS,)	
)	
Defendant.)	

Based on the pending Stipulation between the defense and the government, and good cause appearing therefore, the Court hereby finds that:

1. To account for the necessary social-distancing in light of the COVID-2019 public health emergency, to allow the defense adequate time to prepare following the resolution of this public health emergency, the calendar call and trial dates in this case should be continued.
2. Counsel for defendants need additional time to review discovery, research legal issues, and to meet and confer with their clients.
3. The parties agree to this continuance.
4. Defendant is at liberty and agrees to this continuance.
5. This continuance is not sought for purposes of delay.
6. Denial of this request could result in a miscarriage of justice, and the ends of justice served by granting this request outweigh the best interest of the public and the defendants in a speedy trial.
7. The additional time requested by this stipulation is excludable in computing the time within which the trial must commence pursuant to the Speedy Trial Act, Title 18,

1 United States Code, Sections 3161(h)(1)(D) and (H); and (h)(7)(A), and considering the
2 factors under Title 18, United States Code, Section 3161(h)(7)(B)(i) and (iv).

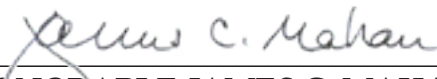
3 THEREFORE, IT IS HEREBY ORDERED, that the parties herein shall have to and
4 including March 1, 2021, to file any and all pretrial motions and notices of defense.

5 IT IS FURTHER ORDERED, by and between the parties, that they shall have to and
6 including March 15, 2021, to file any and all responsive pleadings.

7 IT IS FURTHER ORDERED, by and between the parties, that they shall have to and
8 including March 22, 2021, to file any and all replies to dispositive motions.

9 IT IS FURTHER ORDERED that the calendar call and trial in the above-captioned
10 matters currently scheduled for January 20, 2021, and January 25, 2021, respectively, be
11 vacated and continued to a date and time, that is calendar call July 7,
12 2021, at the hour of 1:30 p.m., and trial July 12,
13 2021, at the hour of 9:00 a.m.

14 DATED December 21, 2020.

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18 HONORABLE JAMES C. MAHAN
United States District Court Judge
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